

MESSAGE NO: 9109112 MESSAGE DATE: 04/19/1999

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-588-054

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/01/1985 TO 07/31/1986

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR TAPERED ROLLER BEARINGS LESS THAN
FOUR INCHES IN OUTSIDE DIAMETER, & COMPONENTS THEREOF, FROM JAPAN (A-588-
054)

MESSAGE NO: 9109112

DATE: 04 19 1999

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 588 - 054

- -

- -

- -

- -

- -

PERIOD COVERED: 08 01 1985 TO 07 31 1986

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR TAPERED ROLLER BEARINGS
LESS THAN FOUR INCHES IN OUTSIDE DIAMETER, & COMPONENTS
THEREOF, FROM JAPAN (A-588-054)

1. FOR ALL SHIPMENTS OF TAPERED ROLLER BEARINGS, LESS THAN
FOUR INCHES IN OUTSIDE DIAMETER, AND COMPONENTS THEREOF, FROM
JAPAN (A-588-054), PRODUCED/EXPORTED BY NSK LTD. (FORMERLY
NIPPON SEIKO K.K.), KOYO SEIKO CO., LTD., TOYOSHA CO., LTD.,
TOYOTA MOTOR SALES CO., LTD., YAMAHA MOTOR CO., LTD., SUZUKI
MOTOR CO., LTD., AND MAEKAWA BEARING MANUFACTURING CO.,
LTD., IMPORTED BY ALL IMPORTERS, AND ENTERED OR WITHDRAWN FROM
WAREHOUSE FOR CONSUMPTION DURING THE PERIOD 08/01/85 THROUGH

07/31/86, ASSESS AN ANTIDUMPING LIABILITY EQUAL TO THE
PERCENTAGES LISTED BELOW OF THE ENTERED VALUE.

MANUFACTURER/EXPORTER: NSK LTD. (FORMERLY NIPPON SEIKO K.K.)

IMPORTER	PERIOD	PERCENT ALL
IMPORTERS		

A-588-054-036	08/01/85-07/31/86	43.23
---------------	-------------------	-------

MANUFACTURER/EXPORTER: KOYO SEIKO CO., LTD. A-588-054-017

IMPORTER	PERIOD	PERCENT ALL
IMPORTERS		

	08/01/85-07/31/86	30.94
--	-------------------	-------

EXPORTER: TOYOSHA CO., LTD. A-588-054-053

IMPORTER	PERIOD	PERCENT ALL
IMPORTERS		

	08/01/85-07/31/86	39.60
--	-------------------	-------

EXPORTER: TOYOTA MOTOR SALES CO., LTD. A-588-054-054

IMPORTER	PERIOD	PERCENT ALL
IMPORTERS		

	08/01/85-07/31/86	28.24
--	-------------------	-------

EXPORTER: YAMAHA MOTOR CO., LTD. A-588-054-059

IMPORTER	PERIOD	PERCENT ALL
IMPORTERS		

	08/01/85-07/31/86	15.25
--	-------------------	-------

EXPORTER: SUZUKI MOTOR CO., LTD. A-588-054-048

IMPORTER	PERIOD	PERCENT ALL
IMPORTERS		

	08/01/85-07/31/86	39.60
--	-------------------	-------

MANUFACTURER/EXPORTER: MAEKAWA BEARING MANUFACTURING IMPORTER

CO.,LTD. A-588-018

PERIOD	PERCENT ALL
IMPORTERS	

2. FOR ALL ENTRIES OF MERCHANDISE EXPORTED BY SUMITOMO CORPORATION (A-588-054-046) WHERE THE MANUFACTURER/SUPPLIER IS KNOWN, WHICH WERE ENTERED OR WITHDRAWN FROM WAREHOUSE DURING THE PERIOD 08/01/85 THROUGH 07/31/86, ASSESS ANTIDUMPING DUTIES AT THE MANUFACTURER/SUPPLIER'S CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY SUMMARY.

3. FOR ALL ENTRIES OF MERCHANDISE EXPORTED BY SUMITOMO CORPORATION WHERE THE MANUFACTURER/SUPPLIER IS MAZDA (A-588-054-052), WHICH WERE ENTERED OR WITHDRAWN FROM WAREHOUSE DURING THE PERIOD 08/01/85 THROUGH 07/31/86, ASSESS ANTIDUMPING DUTIES AT MAZDA'S CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY SUMMARY.

4. FOR ALL ENTRIES OF MERCHANDISE EXPORTED BY SUMITOMO CORPORATION WHERE THE MANUFACTURER/SUPPLIER IS UNKNOWN, WHICH WERE ENTERED OR WITHDRAWN FROM WAREHOUSE DURING THE PERIOD 08/01/85 THROUGH 07/31/86, ASSESS ANTIDUMPING DUTIES AT SUMITOMO CORPORATION'S CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY SUMMARY.

5. FOR ALL ENTRIES OF MERCHANDISE EXPORTED BY NISSAN MOTOR CO., LTD. (A-588-054-038), AND MC INTERNATIONAL (A-588-054-026), WHICH WERE ENTERED OR WITHDRAWN FROM WAREHOUSE DURING THE PERIOD 08/01/85 THROUGH 07/31/86, ASSESS ANTIDUMPING DUTIES AT THE CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY SUMMARY.

6. FOR ALL ENTRIES OF MERCHANDISE FOR WHICH MAZDA WAS THE MANUFACTURER/ SUPPLIER/ EXPORTER, WHICH WERE ENTERED OR WITHDRAWN FROM WAREHOUSE DURING THE PERIOD 08/01/85 THROUGH 07/31/86, ASSESS ANTIDUMPING DUTIES AT MAZDA'S CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF

ENTRY SUMMARY.

7. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRY SUMMARIES FOR THE MERCHANDISE AND PERIOD LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

7. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE U.S. CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778, WHICH WENT INTO EFFECT WITH THE TRADE AGREEMENTS ACT OF 1979, REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISION IS NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF THE ANTIDUMPING FINDING.

IN ADDITION, THE INTEREST PROVISION APPLIES ONLY TO ENTRY SUMMARIES FOR WHICH A CASH DEPOSIT WAS REQUIRED FOR ESTIMATED ANTIDUMPING DUTIES. THE A-588-054 ANTIDUMPING FINDING WAS ESTABLISHED PRIOR TO THE TRADE AGREEMENTS ACT OF 1979.

THE DEPARTMENT OF COMMERCE DID NOT REQUIRE A CASH DEPOSIT OF ESTIMATED ANTIDUMPING DUTIES ON MERCHANDISE PRODUCED/EXPORTED BY NSK UNTIL JUNE 1, 1990. ENTRIES WERE PERMITTED AND WERE MADE UNDER BOND FOR THE ANTIDUMPING DUTIES UNTIL THEN.

AS A RESULT, THE INTEREST PROVISION REGARDING OVERPAYMENTS OR UNDERPAYMENTS OF ANTIDUMPING DUTIES DOES NOT APPLY TO SHIPMENTS OF MERCHANDISE PRODUCED/ EXPORTED BY NSK THAT WERE ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION PRIOR TO JUNE 1, 1990; THIS PERTAINS TO ALL NSK ENTRIES SUBJECT TO THESE INSTRUCTIONS.

THE DEPARTMENT OF COMMERCE REQUIRED A CASH DEPOSIT OF ESTIMATED ANTIDUMPING DUTIES FOR ENTRIES OF MERCHANDISE PRODUCED/SUPPLIED/ EXPORTED BY TOYOSHA, TOYOTA, YAMAHA, SUZUKI, MAEKAWA, SUMITOMO CORPORATION, NISSAN, MAZDA, AND MC INTERNATIONAL PRIOR TO

08/01/85. THEREFORE, THE INTEREST PROVISION REGARDING OVERPAYMENTS OR UNDERPAYMENTS OF ANTIDUMPING DUTIES APPLIES TO ALL ENTRIES OF MERCHANDISE PRODUCED/SUPPLIED/EXPORTED BY THESE FIRMS SUBJECT TO THESE INSTRUCTIONS.

INTEREST SHALL BE CALCULATED FROM THE DATE ON WHICH PAYMENT OF ESTIMATED ANTIDUMPING DUTIES WAS REQUIRED THROUGH TO THE DATE OF

LIQUIDATION. THE RATE AT WHICH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

9. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402 OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER HAS BEEN REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER FAILS TO RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

10. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, THEIR GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT ILISSA KABAK AT 202-482-1395, OF THE OFFICE OF AD/CVD ENFORCEMENT, GROUP III, OFFICE 8, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

11. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

PAUL SCHWARTZ

NOTE: THIS MESSAGE WAS INADVERTENTLY REMOVED FROM ADIL SO HAS BEEN REPOSTED TO ADIL ON NOVEMBER 26, 2009. THE ORIGINAL MESSAGE WAS SENT TO DIRECTORS OF FIELD OPERATIONS AND PORT DIRECTORS, NOT DIRECTORS, FIELD OPERATIONS AND PORT DIRECTORS. DIRECTOR, IMPORT OPERATIONS IS NOW SHOWN AS DIRECTOR, SPECIAL ENFORCEMENT. THE BALANCE OF THE TEXT AND INFORMATION REMAINS UNCHANGED AND MATCHES

THE MESSAGE THAT STILL APPEARS ON THE ADD/CVD SEARCH APPLICATION ON CBP.GOV.

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party